

Appl. No. 10/806,493  
Examiner: WUJCIAK, ALFRED J, Art Unit 3632  
In response to the Office Action dated October 5, 2005

Date: January 5, 2006  
Attorney Docket No. 10113961

## REMARKS

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and receipt of the certified copy of the priority document. Responsive to the Office Action mailed on October 5, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

### Present Status of Application

Claims 14-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3 and 12-16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Watt et al (US Patent No. 5,501,420) in view of Cho (US Patent No. 5,870,280). Claims 4-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 17-24 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

In this paper, claims 1, 12 and 14 are amended to recite that the pre-force mechanism has a first end connected to the first pivot and a second end movably disposed in the second section (claims 1 and 14) or in one of the two sections (claim 12). Support for this amendment can be found at least on page 9, line 27 to page 10, line 16 and Fig. 8 and 9 of the application. Claim 14 is amended to cancel the language "device". Claims 9 and 10 are amended to correct typographical errors. New claim 25 is added. Support for the new claim can be found in original claims 1-4.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Allowable Subject Matter

Applicants thanks the Examiner for his indication of allowable subject matter in claims 4-11 and 17-24.

Rejections Under 35 U.S.C. 112

Claims 14-24 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this paper, claim 14 is amended to cancel the wording "device" and the related description. Applicant submits that the rejection under 35 U.S.C 112, second paragraph, is thereby overcome.

Rejections Under 35 U.S.C. 103(a)

Claims 1-3 and 12-16 are rejected under 35 U.S.C 103 (a) as being unpatentable over Watt et al in view of Cho. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

Whether taken alone or in combination, Watts et al and Cho fail to teach or suggest a liquid crystal display or support base comprising a pre-force mechanism having a first end connected to a first pivot and a second end movably disposed in a second section, as recited in amended claims 1, 12, and 14.

MPEP 2142 reads in part:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

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In connection with the third criteria, MPEP 2143.03 goes on the state:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

As amended, claims 1, 12 and 14 recite that the pre-force mechanism has a first end connected to the first pivot and a second end movably disposed in the second section (claims 1 and 14) or in one of the two sections (claim 12). An embodiment of a liquid crystal display/supporting base including this feature is illustrated in Figs. 8 and 9 of the present application. As shown in the figures, the first end (331) of the pre-force mechanism (3) is connected to the first pivot (22'), and the second end (332) of the pre-force mechanism (3) is movably disposed in the second section (23).

The Examiner relies on Watts et al to teach the arrangement of the pre-force mechanism of the claims. As described in Fig. 2a and col. 2, lines 13-27 of Watts et al, the spring (26d), serves as a counterbalance means associated with the lower parallelogram linkage (26). However, Applicant notes that the two ends of the spring (26d) are connected to the connecting link (28) and the lower end link (26c), respectively. ***In other words, the two ends of the spring (26d) are fixed.***

This is different than the arrangement of the first and second ends of the pre-force mechanism recited in claims 1, 12 and 14, wherein the end is connected to the first pivot, and ***the second end is movably disposed in the second section.*** Thus, the claimed embodiments differ in structure and principal of operation when compared to the Watts et al apparatus, wherein a tension force exerted by the spring (26d) at the lower end link (26c) might directly work on one of the supporting points among the lower parallelogram linkage (26), the connecting link (28) and the upper parallelogram linkage (24), to balance the structure between the connecting link

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(28) and the lower end link (26c) when the monitor (20) is positioned or being adjusted.  
Applicant further submits that Cho fails to teach or suggest this limitation.

It is therefore Applicant's belief that even when taken in combination, the prior art references relied upon by the Examiner do not teach or suggest all the limitations of claims 1, 12 and 14. For at least this reason, a *prima facie* case of obviousness cannot be established in connection with these claims. Furthermore, as it is Applicant's belief that a *prima facie* case of obviousness is not established for claims 1, 12 and 14, the Examiner's arguments in regard to the dependent claims are considered moot and are not addressed here. Allowance of claims 1-24 is respectfully requested.

#### New Claim 25

New claim 25 recites a liquid crystal display, comprising:

a supporting base having a first section, a second section, a third section, a first pivot positioned between the first section and the second section, and a second pivot positioned between the second section and the third section, **wherein the first pivot comprises a fixed element connected to the first section of the supporting base and a movable element connected to the second section of the supporting base;**

a display unit connected to the third section of the supporting base, exerting a first torque on the first pivot by a weight of the display unit; and

a pre-force mechanism disposed in the second section and connected to the first pivot to exert a second torque on the first pivot, **wherein the pre-force mechanism comprises a rod coupled to the fixed element of the first pivot, a stopper disposed in the second section of the supporting base, and a spring disposed on the rod and pressed against the stopper.**

Applicant submits that the cited references fail to teach or suggest a liquid crystal display including the above-highlighted features found in original claim 1, 3 and 4. For at least this reason, it is Applicant's belief that claim 25 is now in condition for allowance.

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Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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